

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DANIEL B. GRAVES, Plaintiff, v. DEUTSCHE BANK SECURITIES, INC., Defendant.	CIVIL ACTION NO. 1:07-cv-05471-BSJ-KNF (Electronically Filed)
--	--

**PLAINTIFF’S NOTICE OF MOTION AND MOTION FOR
A DETERMINATION THAT THE DEADLINE FOR
PLAINTIFF’S REPLY IN SUPPORT OF HIS MOTION FOR
LEAVE TO FILE HIS PROPOSED SECOND AMENDED
AND SUPPLEMENTAL COMPLAINT IS JULY 11, 2008,
AND THAT IT IS FILED TIMELY UNDER LOCAL CIVIL
RULE 5.3(a) AND ECF PROCEDURE PART 9, AND IN THE
ALTERNATIVE FOR A RETROACTIVE THREE-DAY
EXTENSION OF PLAINTIFF’S TIME TO FILE HIS REPLY
IN SUPPORT OF HIS MOTION FOR LEAVE TO FILE HIS
PROPOSED SECOND AMENDED AND SUPPLEMENTAL
COMPLAINT**

PLEASE TAKE NOTICE that plaintiff is moving the Court for a determination that the deadline for filing Plaintiff’s Reply in Support of his Motion for Lave to File His Proposed Second Amended and Supplemental Complaint is July 11, 2008, and that it is filed timely under Local Civil Rule 5.3(a), and is moving in the alternative for a retroactive three-day extension of plaintiff’s time to file his Reply.

This Motion is supported by the annexed Declaration of Counsel, and by the accompanying Memorandum of Law. A proposed form of Order is submitted herewith.

WHEREFORE, plaintiff prays that his Motion be granted.

Respectfully submitted,

Richard T. Seymour (RS-8094)
rick@rickseymourlaw.net
Law Office of Richard T. Seymour, P.L.L.C.
1150 Connecticut Avenue N.W., Suite 900
Washington, D.C. 20036-4129
(202) 862-4320 – Telephone
(202) 549-1454 – Cell
(800) 805-1065 – Telecopier

Steven A. Berger (SB-2038)
sberger@bergerwebb.com
Jonathan Rogin (JR-9800)
jrogin@bergerwebb.com
Berger & Webb, LLP
1633 Broadway, 46th Floor
New York, N.Y. 10019
(212) 319-1900 – Telephone
(212) 319-2017 and -2018 – Telecopiers

By: /s/ Richard T. Seymour
Richard T. Seymour (RS 8094)
Attorneys for Plaintiff

Dated: July 11, 2008

Certificate of Service

I certify that I have, this 11th day of July, 2008, caused a true and correct copy of Plaintiff's Notice of Motion and Consented Motion For a Determination that the Deadline for Plaintiff's Reply in Support of his Motion for Leave to File his Proposed Second Amended and Supplemental Complaint is July 11, 2008, and That it is Filed Timely under Local Civil Rule 5.3(a) and ECF Procedure Part 9, and in The Alternative for a Retroactive Three-Day Extension of Plaintiff's Time to File His Reply In Support of his Motion for Leave to File his Proposed Second Amended and Supplemental Complaint, Memorandum In Support, Declaration of Counsel, and proposed form of Order, on counsel for defendants by electronic service through the Court's ECF system.

/s/ Richard T. Seymour
Richard T. Seymour (RS-8094)
rick@rickseymourlaw.net
Law Office of Richard T. Seymour, P.L.L.C.
1150 Connecticut Avenue N.W., Suite 900
Washington, D.C. 20036-4129
(202) 862-4320 – Telephone
(202) 549-1454 – Cell
(800) 805-1065 – Telecopier